

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

STATE OF TEXAS; STATE OF UTAH; STATE
OF LOUISIANA; STATE OF FLORIDA;
ARIZONA STATE LEGISLATURE, BY AND
THROUGH PRESIDENT OF THE ARIZONA
SENATE WARREN PETERSEN AND
SPEAKER OF THE ARIZONA HOUSE OF
REPRESENTATIVES STEVE MONTENEGRO;
LAST ENERGY, INC.; DEEP FISSION, INC.;
and VALAR ATOMICS INC.;

Plaintiffs,

No. 6:24-cv-00507-JDK

v.

UNITED STATES NUCLEAR REGULATORY
COMMISSION,

Defendant.

JOINT MOTION TO CONTINUE ABEYANCE

On April 30, 2025, the parties jointly moved to hold this case in abeyance for 60 days to consider alternatives to litigating this case. ECF No. 17. This Court granted the motion, directing the case be stayed through June 30, 2025. ECF No. 18. The parties filed a Joint Status Report on May 30, 2025, explaining that the parties were “assessing how [four recently issued] Executive Orders impact this case” and were “actively working together to decide on the best path forward.” ECF No. 21 (citing President Trump’s May 23, 2025 Executive Orders Nos. 14299, 14300, 14301, and 14302). For the reasons explained below, the parties now jointly seek to continue to hold the case in abeyance for an additional 90 days.

Since the May 30, 2025 Joint Status Report, the parties have conferred and identified potential options for a mutually agreeable resolution that could avoid or limit further litigation in this case. The parties jointly request additional time to continue to make progress toward that resolution, and to continue to assess the impact of actions being taken by the Nuclear Regulatory Commission, the Department of Energy, and other federal agencies in furtherance of the Executive Orders. The parties therefore jointly request that this Court continue to hold this case in abeyance for 90 additional days and stay all deadlines during this limited abeyance, including for the filing of any amicus briefs. The parties also request that the Court require the parties to file a joint status report after 45 days.

Dated: June 27, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 27, 2025, a true and correct copy of the foregoing was filed with the Court's CM/ECF system, which will provide service to all parties who have registered with CM/ECF and filed an appearance in this action.

Dated: June 27, 2025

/s/ R. Trent McCotter
R. Trent McCotter

CERTIFICATE OF CONFERENCE

I hereby certify that counsel has complied with the meet and confer requirement in Local Rule CV-7(h). This motion is unopposed (it is a joint motion).

Dated: June 27, 2025

/s/ R. Trent McCotter
R. Trent McCotter